

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-13 are pending and stand rejected.

Claims 1, 8 and 13 are independent claims.

Claims 1-13 have been amended.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 4-5. However, applicant believes that for the amendments and remarks made herein, all the claims are in allowable form and elects not to accept the allowable subject matter at this time. However, Applicant reserves the right to accept the indicated allowable subject matter during the pendency of the instant application.

Claim 13 has been rejected under 35 USC 101 as being directed to non-statutory subject matter.

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, claim 13 has been amended to recite the computer program loaded into a processor for carrying out the method of claim 1. No new matter has been added.

For the amendment to claim 13, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 8-12 are objected to because they include reference characters that are not enclosed within parentheses. Claims 6-7 and 12-13 are objected to as being in improper form.

Applicant thanks the Examiner for his observation and has amended the claims to correct their form.

For the amendments made to the claims, applicant submits that the reason for the objection has been overcome and respectfully requests that the rejection be withdrawn.

Claims 1 and 8-10 stand rejected under 35 USC §102(b) as being anticipated by Ricos (EP 962900 A2). In rejecting the claims the Office Action refers to Ricos as disclosing a computer game as recited in claim 1 and in particular the element "charging means for charging a user to store game status such as a coin or bill slot (11:15-19, 35-44, 12:10-21, ref. 76)."

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in order to advance the prosecution of this matter, the independent claims have been amended to further recite that the game is started without charging an initial fee. No new matter has been added. Support for the amendment may be found at least on page 4, lines 25-30, which state "...The user may then start to play the game, free of charge..."

Ricos, on the other hand, discloses a computer game device comprising a host computer registering the ordering of a plurality of terminal devices as participants in a game. The host computer further includes means for transmitting game data to one of the registered terminal devices when a predetermined number of terminal devices have been registered and means for accepting uploaded play data from one of the terminal devices. Ricos further discloses, in paragraph [0029], that users pay for starting a game ("users put coins in coin input unit 76 to pay for the use of the machine."). Ricos provides additional references wherein a user must pay for the initiation of a game (see paragraph [0032], "[t]he means by which coins are inserted into the machine to start the game does not differ ... from the comparable means outlined by reference to Figure 7.).

Hence, Ricos specifically teaches that a fee is required prior to the initiation of a game or the starting of a game. Such fee is contrary to the teaching of the instant invention.

In addition, in suspending a game, the independent claims recite "charging a user to store said game status." However, Ricos discloses a suspension key that has been added to enable a player to terminate a game before it is finished. When a game is terminated, a password is shown in the display and the user may use the password to begin the game for the point that the game was suspended, even if the game is continued from another location.

Accordingly, Ricos fails to provide any teaching requiring that a fee be charged

Claim 11 depends from claim 1, which has been shown to include subject matter not disclosed by Ricos. Rhodas fails to provide any teaching regarding charging a fee for storing the status of the game, as is recited in the claims.

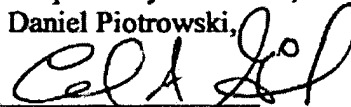
Accordingly, the subject matter of claim 11 is not rendered obvious by the combination of Ricos and Rhodas as the combination fails to teach all the elements recited in the independent claim, and, consequently, dependent claim 11.

For the amendments made to the claims and for the remarks made herein, applicant submits that the rejections of the claims have been overcome and respectfully requests that the rejections be withdrawn. Applicant further submits that all claims are in an allowable form and the issuance of a Notice of Allowance is respectfully requested.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Date: June 22, 2008

Respectfully submitted,
Daniel Piotrowski,



By: Carl A. Giordano
Attorney for Applicant
Registration No. 41,780

Mail all correspondence to:
Daniel Piotrowski, Registration No. 42,079
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9608
Fax: (914) 332-0615

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